

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JAN 29 2018

JULIA C. DUDLEY, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

ANTHONY JOE L. KIRBY, ) Civil Action No. 7:17-cv-00532  
Plaintiff, )  
v. )  
D.O.C., et al, ) By: Hon. Glen E. Conrad  
Defendant(s). ) Senior United States District Judge

Anthony Joe L. Kirby, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983. By order entered December 26, 2017, the court directed plaintiff to submit within 20 days from the date of the order an inmate account form, and a certified copy of plaintiff's trust fund account statement for the month of May 2017, obtained from the appropriate prison official of each prison at which plaintiff is or was confined during that month. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 20 days have elapsed, and plaintiff has failed to comply with the described conditions. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 29<sup>th</sup> day of MAY, 2018.

*Glen Conrad*  
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Senior United States District Judge